



UNITED FOR A HEALTHY GULF

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National Freedom of Information Officer
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW (2822T)
Washington, DC 20460

RE: Freedom of Information Act Request for information on allocation of state grants.

Greetings,

I am writing on behalf of the Gulf Restoration Network (GRN).¹ This is a Freedom of Information Act request for information concerning the amount of money allocated to the Gulf Coast states for certain state grants.

We are requesting information on the amount that each state of Texas, Louisiana, Mississippi, Alabama, Georgia and Florida received under the following state grants in the year 2016:

(1) Diesel emissions reduction act, (2) Multipurpose grant, (3) Targeted airsheds, (4) US-Mexico border targeted watershed, (5) Beach water quality testing, (6) Radon, (7) Brownsfields, (8) Tribes-air quality management, (9) Pesticides implementation, (10) Toxic substances compliance, (11) Wetlands, (12) Underground injection, (13) Drinking water grants, (14) Nonpoint source pollution, (15) Air quality grants, (16) Water pollution control, (17) Lead, and the (18) Tribe general assistance program.

We also request that processing fees be waived because Gulf Restoration Network is primarily interested in public dissemination of this information so that we can inform the public about the nature of impact of these grants on coastal restoration and water quality, and because the request is not primarily in the commercial interest of the requestors. See 43 C.F.R. § 2.19. We have attached a letter requesting a fee waiver (Attachment A) that documents our entitlement under the regulations.

We would prefer your response to be in electronic form, or in the form of a Compact Disc (CD), assuming that is possible. Please contact me if that is unavailable. For any other information that may be needed, please contact Matt Rota at **504-525-1528 ext. 206**, or by e-mail at matt@healthygulf.org.

For a healthy Gulf,

Matt Rota, M.S.
Senior Policy Director, Gulf Restoration Network
504 525 1528 x206, matt@healthygulf.org

¹ GRN is a network of local, regional, and national environmental and public interest groups dedicated to uniting and empowering people to protect and restore the natural resources of the Gulf Region.

ATTACHMENT A

National Freedom of Information Officer
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW (2822T)
Washington, DC 20460

Re: **Freedom of Information Act Request for information on allocation of state grants.**

To Whom It May Concern:

Pursuant to the Freedom of Information Act ("FOIA"), 5 U.S.C. § 552, Gulf Restoration Network has submitted a FOIA request for information related to the amount of money allocated to Gulf Coast states under certain state grants.

This letter is attached to the 13 March, 2017 FOIA request submitted on behalf of Gulf Restoration Network in order to supplement the fee waiver request within. Below, we address the criteria for fee waivers under Bureau regulations. See 43 C.F.R. § 2.19(b). We believe the information herein fully satisfies the fee waiver requirements.

First, Gulf Restoration Network is a regional non-profit, charitable organization, and this FOIA request is primarily made for the purpose of providing information about governmental activities to concerned members of the public. The subject of this FOIA request concerns the amount of state grants allocated to each of the outlined Gulf Coast states in order to determine how much money is susceptible to being eliminated in the Gulf Coast Region.

Second, the disclosure of the information is in the public interest and will significantly contribute to the public's understanding of government operations and activities. It is important that the public knows how much money is being funded for state grants for its region. As these records are not already in the public domain, they will contribute new and significant information to public understanding of this process.

Third, the disclosure of the requested records will contribute to a reasonably broad portion of the public as opposed to the requesters alone. Gulf Restoration Network has spent years promoting the public interest through the development of policies that provide enhanced environmental protection, and has routinely received fee waivers under FOIA. This is in large part because our organization has repeatedly proven its ability to disseminate the information obtained through FOIA to large segments of the public by means of membership correspondence, multiple publications, our website (<http://healthygulf.org>) that is visited by millions of people each year, numerous educational programs and media initiatives, and occasional congressional testimony. We intend to use many of these means to educate the public concerning the information contained in the records requested here, a matter of great interest and importance to all Americans. We plan to disseminate the information at our own expense.

Fourth, the disclosure is likely to contribute significantly to public understanding of government operations or activities. Currently, the public is not aware of how much money is going to the Gulf Coast states under these state grants and would be enlightened by this disclosure.

Lastly, Gulf Restoration Network has no commercial interest in the information requested. As previously stated, the organization is a non-profit organization and the information would primarily be used to educate the public about activities of the government. "Congress amended FOIA to ensure that it be liberally construed in favor of waivers for noncommercial requesters." *Judicial Watch*, 326 F.3d at 1312 (internal citation omitted); *see also Judicial Watch v. Dept. of Energy*, 310 F. Supp. 2d. 271, 291 (D.D.C. 2004) ("[T]he public interest exception should be viewed in an expansive manner"). Our interest in obtaining the requested materials is to serve the public interest by disseminating information about the amount of funding going to the Gulf Coast states.

For the foregoing reasons, it is clear that the disclosure of the information requested is in the public interest because it is likely to contribute significantly to the public's understanding of state grant funding in the Gulf Coast. The public unquestionably will be the primary beneficiary of this requested information.

Therefore, please waive all processing and copying fees as the above satisfies the requirements of 5 U.S.C. § 552 (a)(4)(A)(iii) and 43 C.F.R. 2.19.

Please provide the records described in our March 13, 2017 letter. Nothing in this letter will constitute any waiver of our right to seek administrative or judicial review of any denial of our fee waiver request.

If you have any questions, please contact me immediately at 504-525-1528 ext. 206, or by e-mail at matt@healthygulf.org. Thank you for your assistance. I look forward to your prompt response.

With Kind Regards,

Matt Rota, M.S.
Senior Policy Director, Gulf Restoration Network
504-525-1528 x206, matt@healthygulf.org